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ABSTRACT

This report addresses the unionization of part-time (or adjunct) faculty and sets forth certain demographic data pertaining to them. Included are sections from national faculty organizations' status reports on part-time faculty. The first part of the report lists factors contributing to the growth of adjunct faculty collective bargaining. Tables present adjunct faculty units organized during the period of 1983-1987 and lists of all adjunct collective bargaining agreements cited in the 1988 edition of the National Center for the Study of Collective Bargaining in Higher Education and the Professions's "Directory of Faculty Contracts and Bargaining Agents." Part Two shows excerpts from position statements on part-time faculty prepared by American Association of University Professors, American Federation of Teachers, and National Education Association (NEA). They discuss: tenure; security of employment; role in academic governance; compensation and fringe benefits; management policy considerations; union policy considerations; the appropriate use of part-time and temporary appointments; academic due process for part-time and temporary faculty members; participation in governance; conditions of part-time and temporary faculty employment; compensation; abuse of nontenure track appointments; and part-time and temporary faculty in collective bargaining. Recommendations include that: colleges and universities convert all improper part-time, temporary, and nontenure track appointments to regular, full-time positions whenever possible and each institution immediately begin to develop a handbook of policies on the matter incorporating the principles set forth in NEA policy statements. (SM)

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COLLECTIVE BARGAINING FOR ADJUNCT FACULTY

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NEWSLETTER
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Collective Bargaining for Adjunct Faculty

Campus unionization continues as a viable force in higher education. In the 1970's and early 1980's the emphasis was on organizing full-time tenure track faculty. Today, a shift has occurred to union enrollment of part-time adjunct faculty, support staff and clerical personnel. This report addresses the unionization of part-time faculty and sets forth certain demographic data pertaining to them. Included are sections from reports on the status of part-time faculty from each of the three national faculty organizations, the AAUP, the AFT and the NEA. For the purpose of this report the categories adjunct, part-time, non-tenure track and temporary faculty are used interchangeably although we acknowledge there are differences among them.

The role of adjunct faculty within collective bargaining in higher education has traditionally been subsumed as a part of the overall and larger labor relations picture. The fundamental questions with respect to this group had frequently been their inclusion or exclusion within the regular faculty bargaining unit and whether or not they were more likely to vote for or against the selection of a bargaining agent. Seldom were separate adjunct units established or severed from existing full-time units. What bargaining was done for adjuncts was done within the context of overall faculty bargaining.

The movement to organize adjunct faculty has no clearly identifible starting point. As various segments of the academic community organized adjunct faculty became increasingly aware of their isolation without a voice in either the terms and conditions of their employment or the governance of the institution. Their decision to be represented manifested itself in two ways; either by creating units separate from full-time faculty and, in their perception, more readily available to address their particular needs or by joining forces with the regular full-time tenure track faculty unit.

A second factor contributing to the growth of adjunct faculty collective bargaining was the realization by academic unionists that adjuncts comprised a group that was ripe for unionization.

A third factor contributing to this movement is due to a change in the character of part-time faculty. No longer are they solely retirees or those seeking creative outlet from normal employment, but increasingly those whose adjunct teaching is their sole employment and such issues as employer based health insurance and retirement benefits are critical.

The number of newly organized adjunct faculty bargaining units has dramatically increased during the period 1983 through 1987. Of these 37 newly organized faculty bargaining units, 20 units were full-time teaching faculty, 12 units were adjuncts while 5 units were classified as other. In the most recent election survey conducted by the National Center, January - December 1987 no full-time faculty units were organized while three adjunct units were.

Table One presents the adjunct faculty units organized during this five year time period. Table Two lists all adjunct collective bargaining agreements cited in the 1988 edition of NCSCBHEP's Directory of Faculty Contracts and Bargaining Agents.

TABLE 1
NUMBER OF AGENTS ELECTED 1983-1987

Year	Full-time	Adjunct	Other	Total
1983	0	1	2	3
1984	4	2	1	7
1985	8	4	1	13
1986	8	2	0	10
1987	0	3	1	4
Totals	20	12	5	37

N=37
Source: NCSCBHEP

TABLE OF CONTENTS

Collective Bargaining for Adjunct Faculty..... 1
Number of Agents Elected 1983-1987..... 1
Adjunct Faculty Contracts and Bargaining Agents..... 2
National Faculty Organizations' Status Reports on Part-time Faculty..... 4
AAUP..... 4
AFT..... 5
NEA..... 7

TABLE 2
ADJUNCT FACULTY CONTRACTS AND BARGAINING AGENTS IN PUBLIC AND PRIVATE INSTITUTIONS IN THE UNITED STATES

Institution	Bargaining Agent	Unit Size	Cur. Agent Elected	Initial Contract	2/4 Yr. College	No. of Campuses	Contract Expiration
CALIFORNIA							
Coast Community College	NEA	1,100	1979	1980	2	3	9/1/87
Rancho Santiago C.C. District[1]	NEA	21 ft 347 pt			2	1	6/30/88
University of San Francisco	AFT	375	1981	1985	4	1	12/30/88
DISTRICT OF COLUMBIA							
American University	ELIFA	18	1982	1982	4	1	4/88
ILLINOIS							
Oakton Community College	NEA	20	1985	---	2	1	
MAINE							
University of Maine System	PATFA/AFT	288	1986	1988	4	7	8/31/89
MASSACHUSETTS							
Berklee College of Music	AFT	54	1985	1986	4	1	6/1/89
Massachusetts Community College System[1]	NEA/MTA/MCCC	1,800	1986	---	2	15	
Southeastern Massachusetts University	AFT	30	1985	1986	4	1	6/30/89
MICHIGAN							
Northern Michigan University[2]	NEA	29	1980		2	1	8/25/89

NEW JERSEY							
New Jersey State College System	AFT	105	1987		4	8	
Rutgers State University of New Jersey[3]	AAUP	750	1988		4	3	
NEW YORK							
Cornell University, ILR	NYSUT	200	1981	1981	4	3	8/31/89
Dutchess Community College	NEA (NYSUT/AFT 1985)	250	1987	1987	2	1	8/31/90
Long Island University, C.W. Post	NYEA/NEA	1,000	1978	1979	4	1	10/31/87
Nassau Community College	NYSUT/AFT	834	1974	1974	2	1	9/30/84
OREGON							
Mount Hood Community College	OEA	400	1982		2	1	6/30/88
Portland Community College	OFT/AFT	693	1984	1986	2	3	9/14/88
Portland State University	AFT	200	1978	1979	4	1	6/30/89
PENNSYLVANIA							
Community College of Philadelphia	AFT	625	1978	1983	2	1	8/31/90
RHODE ISLAND							
Rhode Island School of Design	NEA	146	1980		4	1	6/30/87
VERMONT							
Vermont State Colleges	AFT	76	1987		2/4	4	

Source: NCSCBHEP, Directory, Vol. 14, January 1988.

FOOTNOTES

1. Continuing Education Faculty
2. Skills Center Faculty
3. Data does not appear in January 1988 Directory. Information reported as of June 1988.

National Faculty Organizations' Status Reports on Part-time Faculty

Set forth below are position statements on part-time faculty prepared by the three national higher education faculty organizations — AAUP, AFT and NEA. Due to space constraints, we are only able to reproduce exerpts from each of these statements. We wish to thank them for making these documents available and for their cooperation.

AAUP POLICY PROPOSALS

A. TENURE FOR PART-TIME FACULTY

The 1973 report of the Commission on Academic Tenure in Higher Education discussed part-time faculty service and found merit in the view that individuals who regularly provide part-time service on an institution's faculty should be accorded tenure if they qualify for it. The Commission recommended that "institutions consider modifying their tenure arrangements in order to permit part-time faculty service under appropriate conditions to be credited towards the award of tenure, and to permit tenure positions to be held by faculty members who for family or other appropriate reasons cannot serve on a full-time basis." During the past decade a number of institutions have modified their tenure regulations so as to permit tenure positions to be held on a part-time basis. From what the subcommittee has been able to discover, the number of faculty members who have actually been granted tenure in a part-time position is very small.

Although we recognize that the large majority of part-timers neither need nor desire the privileges of tenure and that, for the most part, colleges and universities have used part-time faculty service in a manner compatible with the health and quality of the institution:

1. **WE RECOMMEND** that colleges and universities, depending upon the manner in which they utilize part-time faculty service, consider creating a class of regular part-time faculty members consisting of individuals who, as their professional career, share the teaching, research, and administrative duties customary for faculty at their institution but who, for whatever reason, do so less than full-time. They should have the opportunity to achieve tenure and the rights it confers. The Association stands ready to provide guidance to institutions wishing to develop such policies.

B. SECURITY OF EMPLOYMENT FOR PART-TIME FACULTY

1. **WE RECOMMEND** that part-time faculty not be appointed routinely or repeatedly at the last minute. The practice of continually appointing the same part-timer on term-by-term contracts with employment contingent upon enrollment is, in the large majority of cases, callous and unnecessary.

2. **WE RECOMMEND** that in those instances when cancellation of a course leaves a part-timer without an expected appointment, financial compensation should be made for the time spent in preparing the course and for dealing with the course prior to its cancellation.

3. **WE RECOMMEND** that, where part-time employment is not casual and occasional, colleges and universities should endeavor to regularize their use of part-time faculty members so that they can be appointed in closer conformity to standards and procedures governing full-time faculty.

4. **WE RECOMMEND** that part-time faculty who have been employed for six or more terms, or consecutively for three or more terms, receive a full term's notice. Any lesser period may prevent their re-entry into the part-time market, given the cyclical nature of academic appointments. The issuance of notice should be preceded by a more thorough faculty role in the evaluation process than is customarily the case with part-time faculty.

5. **WE RECOMMEND** that colleges and universities accord part-time faculty members the protections of academic due process summarized in the Association's Academic Freedom and Due Process for Faculty Members Who Serve Less Than Full-Time. In particular, part-time faculty should have access to the institution's regular grievance procedure.

C. THE ROLE OF PART-TIME FACULTY IN ACADEMIC GOVERNANCE

1. **WE RECOMMEND**, whenever possible and erring on the side of inclusion rather than exclusion, that part-time faculty be involved in the determination of goals, of techniques and schedules for those courses which they teach. Moreover, they should be actively involved in planning the curricula of which their courses are a part. To the extent that other, more general, considerations which are dealt with by departmental or institution-wide committees impinge on these more specific matters relative to courses taught by part-time faculty, part-time faculty members should serve as participating members on such committees. If part-time faculty members are subject to appropriate review procedures and have, as they should, access to the regular institutional grievance procedure, they should also be represented on the bodies concerned with these matters when cases involving part-time faculty are heard.

D. COMPENSATION AND FRINGE BENEFITS FOR PART-TIME FACULTY

1. **WE RECOMMEND** that colleges and universities, through their regular procedures, devise equitable scales for paying part-time faculty members.

2. **WE RECOMMEND** that the part-time faculty member whose contribution to the academic program of the institution and to its academic life is equal to that of a full-timer except for the proportion of time given to the position, and whose qualifications are comparable, . receive prorated compensation.

3. **WE RECOMMEND** that colleges and universities design policies on fringe benefits which reflect the varying kinds of commitments made by the part-time members of the faculty.

4. **WE RECOMMEND** that the part-timer whose work is indistinguishable from the full-timer with the exception of the proportion of time spent in the activity should have the opportunity to participate in nonmandatory fringe benefits on a prorated basis if his or her workload at the institution is continuous over several years. Where institutions have developed tenure policies for part-time faculty members, fairness urges that these institutions provide part-timers who are eligible for tenure with, at a minimum, access to the full range of fringe benefits available to their full-time colleagues. They should also be allowed access to fringe benefits such as group medical or dental programs on a prorated basis.

5. **WE RECOMMEND** equal access for all part-timers to such fringe benefits as medical and dental services, and, where possible, the prorating of the employer's contribution. Institutions should endeavor to provide part-timers with access to retirement or life insurance coverage which has a vested component as well as a number of fringe benefits, e.g., tuition remission, which are of less out-of-pocket cost to an institution but which may be extremely valuable to the part-timer.

American Association of University Professors, "The Status of Part-time Faculty (1980)", Policy Documents and Reports. Washington, DC: American Association of University Professors, 1984, p. 51-57.

AFT RECOMMENDATIONS

The Task Force on Part-Time College and University Faculty of the American Federation of Teachers makes the following proposals for the elimination of abuses of part-time nontenure-track and/or hourly paid or adjunct faculty and for their more rapid organization into collective bargaining units.

A. MANAGEMENT POLICY CONSIDERATION

1. Limitations on the Use of Part-time Faculty

a. Limitation on total FTEs taught by part-time faculty: The use of part-time members of the instructional staff should be limited to the minimum necessary to enrich the curriculum and to enable the institution to respond to fluctuations in enrollment. Therefore, only a small proportion of the total faculty should be in the part-time ranks. These part-time faculty members should serve a severely limited amount of FTEs.

b. Elimination of "splintering" full-time positions into several part-time positions: Part-time faculty should not be used to provide teaching or professional services formerly performed by full-time faculty. Conversion of full-time positions into several part-time positions must be stopped.

c. Limitation on number of persons teaching part-time in addition to full-time employment: Persons employed full-time in addition to their part-time teaching should be strictly limited in the number of courses taught part-time during the regular academic year. Concern for quality of instruction and students' need for adequate time and attention from their teachers cause us to prohibit an overburdened work force.

d. Use of attrition: Any required diminution of the work force, full or part-time, should be accomplished by attrition.

2. Conditions of Employment for Part-time Faculty

a. Rank: The said criteria used for determining rank and eligibility for promotion of full-time faculty should also apply to part-time...

b. Responsibilities: On a prorated basis, part-time faculty should be allowed the opportunity of participating in the full range of professional responsibilities, including student advisement, committee work, departmental and faculty meetings.

c. Salary: Compensation for part-time faculty should be prorated according to rank — that is, should be proportionate to the salary of full-time faculty of the same qualifications doing the same work.

d. Benefits: Part-time faculty teaching 50 percent of the average full-time load, or less, should receive a minimum of 50 percent of the fringe benefits available to full-time faculty. Part-time faculty teaching more than 50 percent of this load should receive full fringe benefits.

e. Contracts: Part-time faculty should be hired at least one month before the first day of

classes. Only in genuine emergencies should instructors be hired on shorter notice. If a part-time teacher prepares a course which is cancelled for any reason, s/he must be compensated for such preparation.

f. Job Security: Notwithstanding the need for flexibility in the academic community, it is incumbent upon the institution to provide all its employees with a minimum of security in their work.

(1) Probation: A period of time should be determined for the evaluation of part-time faculty, after which they shall have achieved seniority. Although it may require several terms for such evaluation, unbroken service should not be a requirement.

(2) Seniority: After the probationary period is completed, the part-time faculty member should be placed on a departmental part-time seniority list for future appointments with full credit for previous service. Those not reappointed will be drawn first from part-time faculty still on probation and then from the bottom of the seniority list.

(3) Termination: Termination of a part-time faculty member with seniority must be for cause, with appropriate due process procedures.

(5) Conversion to full-time status: When a full-time position opens, qualified part-time faculty should be given first consideration in accordance with seniority and the requirements of the position.

3. Role of Part-time Faculty in the Department

a. Hiring: Part-time faculty should be initially hired with the same care and should be subjected to the same interview process as is given any other applicant to the department.

b. Orientation: Upon initial appointment, part-time faculty should be fully introduced to the institution and to the department, their governance and structure, and the department's requirements and expectations regarding the successful performance of their part-time duties.

c. Role in departmental governance: Part-time faculty should be invited to participate in departmental meetings with voting privileges. They should also have the opportunity of serving on committees and performing other duties normally assigned to their full-time colleagues. (Note: As outlined in 2. a., "rank" for part-time faculty should be granted according to the same criteria as applied to full-time faculty.)

d. Professional rights: Part-time faculty should be permitted to order their own texts and design their own courses, unless these are departmental decisions, in which case, part-time faculty should be invited to participate in the deliberations.

e. Privileges and amenities: Part-time faculty should be given perquisites and privileges appropriate to their professional status and necessary for the effective fulfillment of their duties. These include office space, mailboxes, secretarial help...

B. UNION POLICY CONSIDERATIONS

1. The need for solidarity: Full-time faculty must regard part-time faculty as colleagues in the academic community. They must see part-time faculty as exploited members of the same labor force, and must see part-timers as like themselves except in being more vulnerable to manipulation by management.

2. Implications of faculty unionism: The heavy dependence upon part-time faculty, which may once have had "innocent" beginnings, is becoming more and more obviously a form of administrative resistance to faculty unionism. A reserve army of unorganized, noncontract teachers can destroy the rights and prerogatives which faculty have fought for and have gained through collective bargaining. If a faculty union is to have any effectiveness, ideally all teaching personnel should be covered by one contract. Barring that, the part- and full-time units should be closely coordinated. Part-time faculty must be protected by the same regulations and granted the same rewards and dignity as those enjoyed by their full-time colleagues.

3. Educating the profession

a. Fighting the myth:...

b. Educational campaign:...

4. Bargaining unit: Management gains the advantage when negotiating by dividing the labor force or by having a large pool of unemployed workers in reserve. To prevent the manipulation of the labor force, the union must present a united front. Higher education bargaining units should represent both full- and part-time members of the faculty and organized professional staff.

5. Organizational privileges for part-time faculty: In those instances when part-time and full-time faculty belong to the same local, part-time faculty should be fully integrated into the activities of the local.

6. Organization and orientation of part-time faculty: A vigorous organizing drive to identify, recruit, and mobilize part-time faculty at every institution should be undertaken by individual locals through their chapter structures. Chapter union leaders should help to initiate orientation sessions each semester, to help integrate the part-time

faculty into the academic community and to help educate them as to the rights and privileges they are entitled to through collective bargaining.

7. Unemployment benefits: The union should press for unemployment compensation for part-time faculty terminated or not reappointed.

8. Part-time professor: When negotiating contracts, locals should consider the possibility of creating a title less than full-time with tenure, in rank, pro-rata salary, and other benefits described in this document for part-time personnel. This position is realizable as a result of the imitation of the exploitation of part-time faculty, and a priority should be given to part-time faculty when these appointments are made.

American Federation of Teachers Advisory Commission on Higher Education, Statement on Part-Time Faculty Employment. Washington, DC: American Federation of Teachers, 1979, p. 2-4.

NEA REPORT ON PART-TIME, TEMPORARY AND NONTENURE TRACK FACULTY

A. THE APPROPRIATE USE OF PART-TIME AND TEMPORARY APPOINTMENTS

NEA recognizes that appropriate and legitimate uses of part-time and temporary faculty exist:

1. when confronted by unexpected enrollment increases, especially in basic courses, institutions may appoint part-time and temporary faculty to teach classes when regular, full-time faculty are unavailable;

2. when an institution decides to offer only one or two courses in a specialized area outside of the full-time faculty's areas of competency, it may legitimately make part-time and temporary, short-term appointments;

3. when an institution wants to initiate, or experiment with a new course or program of study, it may appoint part-time or temporary faculty members for a brief period of time;

4. temporary faculty are frequently retained to fill in for regular full-time faculty on leave or sabbatical;

5. artists- or writers-in residence are frequently and appropriately appointed on temporary contracts.

B. ACADEMIC DUE PROCESS FOR PART-TIME AND TEMPORARY FACULTY MEMBERS

Part-time and temporary faculty members must be afforded academic due process rights conforming to those of regular, full-time faculty. These rights are best protected by procedures that include, but are not limited to:

1. timely appointment letters that clearly specify the nature of their relationship with the institution in the short and long term;

2. timely written notice of reappointment and nonreappointment, the standards and criteria on which they will be evaluated for reappointment, and any change in the terms of their status or relationship to the department or institution;

3. academic due process, i.e., the right to confer over the terms and conditions of their appointment, the right to file grievances or appeal negative decisions, to have a fair hearing, and to receive timely settlement of their grievances. In particular, faculty must be guaranteed the right to complete the term of their contracts, except for just cause, and to appeal through appropriate procedures the premature termination of their contract;

4. fair and equitable evaluation by peers or other appropriate persons, with the results of such evaluation being given to them in writing and with an opportunity to respond and seek remedy.

C. SECURITY OF EMPLOYMENT FOR PART-TIME FACULTY

1. Institutions should provide qualified regular part-time faculty with suitable forms of employment security after an appropriate probationary period. The expectation of continuing employment, except for just cause, is the proven and accepted way to assure academic and intellectual freedom, and employment security.

2. Part-time faculty who are appointed repeatedly over an extended period of time should be evaluated through the procedures, and according to the standards, generally applied to full-time faculty appointments. Notice of nonreappointment should be given to these individuals according to the same standards of notice accorded to regular, full-time faculty.

D. PARTICIPATION OF PART-TIME AND TEMPORARY FACULTY IN GOVERNANCE

1. Part-time faculty, especially regular part-timers, and temporary faculty should be included in faculty governance and decision-making processes at the institution. Regular part-timers and temporary faculty should be involved, along with full-time faculty, in the determination of course content, goals, schedules, and instructional materials. They should also be involved in the overall evaluation of their courses. Regular part-time faculty should participate in the work of committees responsible for oversight and coordination of the courses or programs that they teach.

2. Regular part-time faculty should be appointed to committees responsible for making recommendations on policies governing the employment of part-time faculty and on hearing their appeals, and settling their grievances.

3. Part-time and temporary faculty should seek to participate in faculty committees and decision-making processes as part of their professional responsibilities.

E. CONDITIONS OF PART-TIME AND TEMPORARY FACULTY EMPLOYMENT

1. Classroom and laboratory facilities should be conducive to teaching, learning, and other forms of educational and artistic endeavor.

2. Part-timers and temporary faculty should have access to adequate office space in order to meet with and advise their students.

3. They should be given adequate administrative services to facilitate their work.

4. When research and publication are required for advancement or earning tenure, it is especially important that...facilities and support be available.

F. COMPENSATION OF PART-TIME FACULTY MEMBERS

1. Part-time faculty members should be paid at the same rate as...full-time... For part-timers, this means pro rata salaries and fringe benefits.

2. Salary levels should be based on credentials, experience, and, where the faculty and institution agree, the quality of their professional activities.

3. Regular part-timers, especially those with continuing appointments, should enjoy most of the fringe benefits, such as a retirement plan, accorded to regular, full-time faculty.

4. Faculty development programs should also be opened to qualified part-timers.

G. THE ABUSE OF NONTENURE TRACK APPOINTMENTS

1. Normally, a temporary appointment should not exceed two years.

2. Nontenure track or temporary appointments should never be used as a substitute for the probationary period for faculty members who should be on the tenure track, although the institution may convert these positions into a tenure-track position for bona fide reasons with the consent of the faculty. In such cases, the individual should be given credit for full-time (and part-time) service toward the probationary period normally required for tenure.

3. When positions are converted to the tenure track, institutions should take care to evaluate nontenure track faculty affected by the policy according to the standards and criteria appropriate to their duties and responsibilities at the institution.

4. Faculty members who have been fulfilling satisfactorily their professional duties in a nontenurable position should be accorded prior consideration during the conversion process.

5. The standards and criteria for being appointed to the tenure track should not be raised to levels inconsistent with the responsibilities of the position in an attempt to preclude the retention of those currently employed.

H. PART-TIME AND TEMPORARY FACULTY IN COLLECTIVE BARGAINING

1. Collective bargaining represents the best way to develop comprehensive policies for part-time and temporary faculty employment.

2. ...it is growing more evident that full-time faculty generally are more aware of a community of interest with part-time and temporary faculty. If the policies proposed above are implemented — pro rata pay and fringe benefits, due process, tenure, and governance rights — there would be little doubt about these categories of academics sharing a greater community of interest.

3. If regular part-timers and temporary faculty are to be included in the faculty governance processes, it seems inconsistent to exclude them from full-time faculty bargaining units.

I. CONCLUSION AND FINAL RECOMMENDATIONS

1. Colleges and universities should convert all improper part-time, temporary, and nontenure track appointments to regular, full-time faculty positions whenever feasible and as soon as practical, and adopt policies through faculty governance and/or collective bargaining that will prevent the improper and excessive use of these types of appointments.

2. NEA recommends, therefore, that: each institution should immediately begin to develop a handbook of policies on part-time and temporary faculty employment that incorporates the principles set forth in NEA policy statements.

National Education Association, Report and Recommendations on Part-time, Temporary and Nontenure Track Faculty Appointments. Washington, DC: National Education Association, 1986/87, p. 6-13.

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